

PRIME MINISTER

YOUR MEETING WITH GRAHAM BRIGHT

You are due to see Graham Bright at 1630 hours tomorrow to talk about his Video Recordings Bill. Attached is a copy of the Bill. The main sections are as follows:

Section 2

This provides that informational, educational or instructional videos are exempt from the Bill unless they depict a range of activities set out in the Section.

Section 4

This provides that the Secretary of State may designate the authority responsible for the certification of videos.

Section 5

Provides broadly three kinds of classification:

i) That the video is suitable for showing to persons of any age.

ii) That the video is suitable for showing to persons above a certain specified age.

iii) The conditions set out in ii) together with a statement that the video cannot be supplied on premises to which persons under the specified age have access.

|| This last classification is intended to be equivalent to the Restricted (18) certificate.

Sections 7 and 8

These provide the principal offences of supply or possession of unclassified videos.

Sections 9, 10, 11 and 12

Provide for subsidiary offences.

/ Section 13

Section 13

Provides that the maximum fine for offences under Sections 7 and 8 shall be £10,000.

As you will recall the principal point of disagreement you had with the Bill was that it provided for the supply of Restricted (18) videos under the circumstances set out in Section 5. You would prefer to see a straightforward ban. Mr. Bright's argument is that a ban would drive such videos underground.

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The Bill is being debated on Friday. David Mellor will indicate that the Government is not opposed to a ban on Restricted (18) videos and no doubt amendments to this effect will be put down in Committee.

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Other issues you might like to raise with Mr. Bright include:

i) His preference for a licensing approach rather than a list approach. There is after all the element of a list approach in Section 2 of his Bill which specifies that videos can not be exempt from the Bill if they portray certain specified material.

ii) The levels of fines for the principal offences (I understand that there is a possibility that this figure might be raised to £20,000 as part of a general uprating of fines in criminal legislation due to take place shortly).

JF.

9 November 1983

PRIME MINISTER

You may be interested to see the attached letter from the Home Secretary to Mary Whitehouse about the Graham Bright Bill. A central point of the letter is that David Mellor will say on the Second Reading that the Government sees the argument for preventing the sale of Restricted (18) videos and that there will be an opportunity for such a prohibition to be discussed during the passage of the Bill. I gather that Graham Bright is very firmly of the opinion that Restricted (18) videos should not be prohibited on the grounds that to do so would drive them underground. He may be open to persuasion on this point but at present his view is far harder on this point than is that of Home Office Ministers.

I understand that, in addition to opposition from Michael Meadowcroft and Max Madden, Brian Mawhinney is also thinking of voting against the Bill on the grounds that it does not go far enough. This does not seem very sensible since if there is sufficient parliamentary opinion in favour of greater restriction, it can be <sup>changes</sup> ~~inserted~~ at Committee Stage.

*mf* *DF*

TIM FLESHER

3 November, 1983



QUEEN ANNE'S GATE LONDON SW1H 9AT

3 November 1983

*R. M. Whitehouse,*

... I am pleased to enclose a copy of Mr Graham Bright's Bill on Video Recordings which is published today.

As you know, I believe that this Bill will considerably strengthen our existing legislation in this area. It deals with a problem of great concern to us all in a way which I believe will command widespread support both within Parliament and outside.

When you discussed with David Mellor and me on 25 July your concerns about Mr Bright's proposals for legislation, I promised to consider the points you raised at that meeting. I have given very careful thought to all these points and we have had extensive discussions about them with Graham Bright, who is, of course, responsible for the contents of the Bill. You are, I think, already aware of the conclusions that have been reached on some of these matters. In particular, you will know from my letter of 10 October of my views on the issue of guidelines to the body to be designated to classify video recordings.

You will also wish to know, however, that although the Bill would allow the designated authority to make use of the Restricted(18) category, it is envisaged that it would only be possible to supply videos classified Restricted(18) in premises no persons under the age of 18 are admitted. It would be possible to obtain such material, therefore, only by making a conscious decision to go to a sex shop or other shop set aside for adults only; it will not be available in premises to which children have access. I understand that Mr Bright considers it is necessary to provide an outlet for people who wish to see this sort of material. The Metropolitan Police have expressed to him informally the view that a ban on Restricted(18) videos might drive such material underground.

For my part, I fully understand your concern that material classified Restricted(18) might get into the hands of children. That is why David Mellor will make clear on Second Reading that we do see the argument for restricting the sale of this material still further. Equally, however, we do not want to see a flourishing black market in material much worse than that which would receive a Restricted(18) certificate and there is also an argument that a ban would lead to this. I know that Graham Bright is concerned, as am I, at that prospect. But I can assure you, and David Mellor will confirm this to the House, that we will look forward to hearing both sides of this argument in Parliament during the passage of the Bill before reaching a considered conclusion. If it was quite clear from the Debates in Parliament and the views of those concerned that the public interest required a ban on Restricted(18) videos then the Government would not in any way seek to obstruct this.

*L. Sweeney*  
*Lea B. [unclear]*

Mrs Mary Whitehouse, CBE